

**UNITED STATES OF AMERICA,**

**v.**

**RONALD MCKNIGHT,**

**Defendant.**

**THIS MATTER** is before the Court on “Defendant’s Motion for New Counsel” (document # 44) filed on December 13, 2016. The Court held a hearing in this matter on December 20, 2016.

At the hearing, the Court heard from appointed counsel Julia Mimms, the Defendant, and Assistant U.S. Attorney Steven Kaufman. Ms. Mimms is Defendant's second court appointed counsel. Ms. Mimms represents that Defendant is refusing to meet with her at the jail. He is also accusing her of being "dishonest" and working against him with the U.S. Attorney. The Government has extended a plea offer. Both Ms. Mimms and previous counsel have discussed the plea offer with Defendant. Defendant refutes the allegation in the Indictment that he acted with force, violence and intimidation.

“Because the right to choose counsel is not absolute, it necessarily follows that a defendant does not have an absolute right to substitution of counsel. As a general rule, a defendant must

show good cause in requesting a new appointed lawyer.” United States v. Mullen, 32 F.3d 891, 895 (4<sup>th</sup> Cir. 1994).

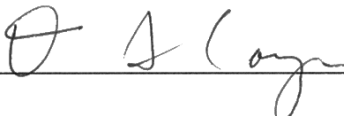
The Court advised Defendant that he is entitled to appointed counsel, but not to counsel of his choice. The Court acknowledged the serious nature of the charges and penalties that Defendant faces, but advised him that appointment of new counsel would not change those circumstances or result in a more favorable plea offer. The Court clarified the attorney-client relationship and explained to Defendant that there are certain decisions that must be made by him such as whether or not to accept a plea agreement or go to trial.

Ms. Mimms represents that her ability to continue to effectively represent the Defendant has been compromised by his distrust and lack of cooperation. The Court is mindful that Defendant will now have his third court appointed counsel. However, based upon the foregoing the Court will grant the Motion and direct the Federal Defender to appoint new counsel.

The Clerk is directed to send copies of this Order to counsel for the parties; and to the Honorable Robert J. Conrad, Jr.

**SO ORDERED.**

Signed: December 21, 2016

  
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David S. Cayer  
United States Magistrate Judge

